

STATE WATER RESOURCES CONTROL BOARD
WORKSHOP SESSION—DIVISION OF WATER QUALITY
SEPTEMBER 7, 2005

ITEM 17

SUBJECT

CONSIDERATION OF ADOPTION OF MODIFICATIONS TO THE STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) WATER QUALITY ORDER NO. 2004-0009-DWQ, STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL IN WATERS OF THE UNITED STATES, GENERAL PERMIT NO. CAG 990005 (WEED CONTROL PERMIT)

DISCUSSION

The State Water Board adopted the Weed Control Permit at its May 20, 2004 meeting. In accordance with Finding 31 of the permit, the State Water Board is considering adding imazapyr (trade name Habitat) ([Attachment 1](#)) to the list of aquatic pesticides covered by this permit. The proposed addition of imazapyr is contingent upon the Department of Pesticide Regulation's registration of the product prior to State Water Board action. The State Water Board is also considering modifying Attachment E of the permit to add the Santa Cruz Water Department (SCWD) ([Attachment 2](#)) to the list of dischargers receiving exception to meeting priority pollutant limits according to section 5.3 of the State Water Board *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*.

A draft of the modifications to the permit and its Attachment E was circulated on July 29th for a 30-day public review. The final document was revised, where appropriate, in response to comments received.

POLICY ISSUE

Should the State Water Board adopt the modifications to Water Quality Order No. 2004-0009-DWQ?

FISCAL IMPACT

The activity is budgeted within existing resources. No additional expenditures will occur as a result of adopting the proposed modifications.

REGIONAL WATER QUALITY CONTROL BOARD IMPACT

All nine Regional Water Quality Control Boards may be impacted by the addition of imazapyr to the permit. The Central Coast Water Board will be impacted by the addition of the SCWD to Attachment E.

August 29, 2005

STAFF RECOMMENDATION

That the State Water Board adopts the attached modifications to Water Quality Order No. 2004-0009-DWQ and its Attachment E.

DRAFT

August 29, 2005

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2005-

ADOPTION OF MODIFICATIONS TO STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) WATER QUALITY ORDER NO. 2004-0009-DWQ, STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL IN WATERS OF THE UNITED STATES, GENERAL PERMIT NO. CAG 990005 (WEED CONTROL PERMIT)

WHEREAS:

1. Finding 31 of the Weed Control Permit states that it may be reopened to modify Attachment E if additional entities qualify for an exception according to section 5.3 of the State Water Board's *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (Policy). Finding 31 also states that the permit may be reopened to add coverage of aquatic pesticides that have been newly registered by the California Department of Pesticide Regulation (DPR).
2. On September 2, 2005, DPR registered imazapyr for aquatic application.
3. The pesticide imazapyr acts quicker and is less toxic than other low-volume herbicides, and imazapyr in water rapidly degrades via photolysis, with no detectable residues of imazapyr found in either water or sediment within two months. In estuarine systems, dilution of imazapyr with the incoming tides contributes to its rapid dissipation suggesting that imazapyr is not environmentally persistent in the estuarine environment.
4. The Santa Cruz Water Department (SCWD) has complied with the exception requirements of section 5.3 of the Policy.
5. The State Water Board has circulated the modifications for a 30-day public review. The State Water Board has held a hearing and has considered all comments on the modifications.

THEREFORE BE IT RESOLVED THAT:

The State Water Board adopts the attached modifications to Water Quality Order No. 2004-0009-DWQ and its Attachment E.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a hearing of the State Water Board held on September 7, 2005.

Debbie Irvin
Clerk to the Board